

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

CHAMBERS OF  
**ESTHER SALAS**  
UNITED STATES DISTRICT JUDGE

MARTIN LUTHER KING  
COURTHOUSE  
50 WALNUT ST.  
ROOM 2037  
NEWARK, NJ 07101  
973-297-4887

April 6, 2017

**LETTER ORDER**

**Re:   *Kaye v. Reeves, et al.***  
**Civil Action No. 15-6332 (ES) (MAH)**

Dear Counsel:

Pending before this Court is Plaintiff's motion to remand this matter to New Jersey Superior Court in Essex County. (D.E. No. 34). On October 3, 2016, Defendants opposed Plaintiff's motion and, in the same brief, moved to dismiss Plaintiff's Complaint. (D.E. No. 35). On December 12, 2016, the Honorable Michael A. Hammer, U.S.M.J., issued a Report and Recommendation ("R&R") recommending that this Court deny Plaintiff's motion. (D.E. No. 36). Magistrate Judge Hammer advised the parties that they had until December 27, 2016 to file and serve any objections to the R&R pursuant to L. Civ. R. 72.1(c)(2). To date, parties have not filed any objections.

The Court has considered the parties' submissions, as well as Magistrate Judge Hammer's R&R, and for the reasons stated therein,

IT IS on this 5<sup>th</sup> day of April 2017,

**ORDERED** that this Court adopts Magistrate Judge Hammer's R&R in full; and it is further

**ORDERED** that Defendants' motion to dismiss Plaintiff's Complaint is DENIED *without prejudice* with leave to refile; and it is further

**ORDERED** that the Clerk of Court shall terminate docket entries 34 and 36.

**SO ORDERED.**

s/Esther Salas  
**Esther Salas, U.S.D.J**